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10/010,190	12/05/2001	Anthony John Goodacre	13768.221	7310

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WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER &
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EXAMINER
PAULA, CESAR B

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/010,190	GOODACRE ET AL.
	Examiner	Art Unit
	CESAR B PAULA	2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 December 2001</u> .

2a)☐ This action is FINAL.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-44</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-44</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12/5/01</u> .		6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to the application filed on 9/21/2000.

This action is made Non-Final.

2.   Claims 1-44 are pending in the case. Claims 1, 27, 41 and 43 are independent claims.

Drawings

3.   The drawings filed on 12/5/2001 have been approved by the examiner.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on 12/5/2001 has been entered,

and considered by the examiner.

Claim Objections

4.   Claims 22-23 are objected to because of the following informalities: It seems that the

word "transferringa" should read as "transferring a". Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

6.   Claims 1-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

7.   The verb "may" is used throughout the claims, for example claim 1, lines 1-2, claim 27,

line 2, claim 40, line 2, claim 41, line 2, claim 43, line 2, etc. The use of this verb implies

uncertainty, since the limitation might or might not take place. The limitation should instead

recite positive limitations as to what is being carried out. Please correct this use wherever it may

appear in the claims.

8.   Claim 1 recites the limitation "the current state" in line 19. There is insufficient

antecedent basis for this limitation in the claim. There is no previous state to refer to in this

claim.

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 1-15, 17-19, and 24-44 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Pfister et al, hereinafter Pfister (USPub. # 2003/0046365 A1, 3/6/2003, filed on 9/4/2001),

in view of Twaddle (US Pub. # 2004/0015476 A1 1/22/2004, PCT filed on 8/31/2001).

Regarding independent claim 1, Pfister discloses the reception of a web page by a mobile

client, such as a PDA, from a browser via the Internet. *a method for controlling the creation of a*

software object associated with a web page-analyzing the markup language document to

determine if an instruction to create the software object is contained therein -- (0037, 0040).

Moreover, Pfister teaches that templates are produced for presenting data to WML

devices. The presented data takes the form of information such as ads which are changed or

rotated by a cache—*automatically and without user intervention*-- in accordance with a schedule

(0059, 0061).

In addition, Pfister teaches using identifiers for identifying static content, such as block

410 displayed in the top part of the web page in fig.4, used in loading, and presenting a web page

from a cache (0051, lines 1-3, 0059, lines 14-0061, fig.4). In other words, the template

identifiers, represent the static content 410 and its position/layout in the web page.

Further, Pfister fails to explicitly disclose: *registrations associated with subscription*

services. However, it would have been obvious to a person of ordinary skill in the art at the time

of the invention to have subscribed using registrations, because Pfister discloses an icon on the

web page to personalize the page (0059, fig.4--410). Thus providing a richer, and more relevant

navigation experience associated to the user's tastes.

Moreover, Pfister teaches using identifiers--*references*-- for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers, represent the dynamic content 412 and its position/layout in the web page. Pfister fails to explicitly disclose: *including the static content, the references to the dynamic content, as well as corresponding layout information in a template file.* However, Twaddle teaches mail merging static, and dynamic content into a template file, which has a master layout for the elements to be included in the web page (0049, appendix A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as to accommodate large number of users (0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic data.

Moreover, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers, represent the dynamic content 412 and its position/layout in the web page. Pfister fails to explicitly disclose: *generating computer-executable instructions that facilitate the inclusion of the current state of the dynamic content in an appropriate location at the display device.* However, Twaddle teaches mail merging static, and dynamic content into a template file, using HTML source code--*computer-executable instructions--*, which has a master layout for the elements to be included in the web page (0049, 0056-0057, fig.3-4, appendix A). It would have been obvious to a person of

ordinary skill in the art at the time of the invention to have combined Pfister, and Twaddle,

because Twaddle teaches the generation of dynamic data as to accommodate large number of

users (0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic

data.

Moreover, Pfister teaches using identifiers for identifying dynamic content, such as item

412 displayed underneath static content 410 of the web page in fig.4, used in loading, and

presenting dynamic information, which is changed periodically, in the web page from a cache

(0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers, represent the

dynamic content 412 and its position/layout in the web page. Pfister fails to explicitly disclose:

transferring the template file and the computer executable instructions to the mobile device.

However, Twaddle teaches transmitting web page source code -- *computer-executable*

instructions--, to the requesting user (0049, 0056-0057, fig.3-4, appendix A). It would have been

obvious to a person of ordinary skill in the art at the time of the invention to have combined

Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as to

accommodate large number of users (0035). Thus providing an efficient, and quick way for users

to retrieve static and dynamic data.

Regarding claim 2, which depends on claim 1, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the

template dynamic identifiers, represent the dynamic content 412 and its position/layout in the

web page. Pfister fails to explicitly disclose: *computer executable in the form of markup language instructions*. However, Twaddle teaches transmitting web page source code – *markup language instructions*--, to the requesting user (0049, 0056-0057, fig.3-4, appendix A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as to accommodate large number of users (0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic data.

Regarding claim 3, which depends on claim 2, Pfister teaches using HTML for presenting dynamic information, which is changed periodically, in the web page from a cache (0058-0059, fig.4).

Regarding claim 4, which depends on claim 1, Pfister teaches using identifiers for identifying static content, such as block 410 displayed in the top part of the web page in fig.4, used in loading, and presenting a web page from a cache (0051, lines 1-3, 0059, lines 14-0061, fig.4). In other words, the template identifiers, represent the static content 410 and its position/layout in the web page.

Regarding claim 5, which depends on claim 1, Pfister teaches producing templates using identifiers—*customized extensions referencing dynamic content*-- for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used

in loading, and presenting dynamic information, which is changed periodically, in the web page

from a cache (0059, lines 14-0061, fig.4).

Regarding claim 6, which depends on claim 5, Pfister teaches producing markup

language templates using identifiers—*customized extensions, to a markup language, referencing*

dynamic content-- for identifying dynamic content, such as item 412 displayed underneath static

content 410 of the web page in fig.4, used in loading, and presenting dynamic information,

which is changed periodically, in the web page from a cache (0058, 0059, lines 14-0061, fig.4).

Regarding claim 7, which depends on claim 6, Pfister teaches producing markup

language templates—*macro--* using identifiers—*customized extensions, to a markup language,*

referencing dynamic content-- for identifying dynamic content, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic

information, which is changed periodically, in the web page from a cache (0051, 0058, 0059,

lines 14-0061, fig.4).

Regarding claim 8, which depends on claim 5, Pfister teaches producing HTML

templates—*macro--* using identifiers—*customized extensions, to a markup language,*

referencing dynamic content-- for identifying dynamic content, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic

information, which is changed periodically, in the web page from a cache (0051, 0058, 0059,

lines 14-0061, fig.4).

Regarding claim 9, which depends on claim 8, Pfister teaches producing HTML

templates—*macro*-- using identifiers—*customized extensions, to a markup language,*

referencing dynamic content-- for identifying dynamic content, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting or

displaying dynamic information, which is changed periodically, in the web page from a cache

(0051, 0058, 0059, lines 14-0061, fig.4).

Regarding claim 10, which depends on claim 5, Pfister teaches producing HTML

templates—*macro*-- using identifiers for identifying dynamic content—*without user*

intervention, such as item 412 displayed underneath static content 410 of the web page in fig.4,

used in loading, and presenting dynamic information (at a device such as PDA), which is

changed periodically, in the web page from a cache (0040, 0051, 0058, 0059, lines 14-0061,

fig.4).

Regarding claim 11, which depends on claim 5, Pfister teaches producing HTML

templates using identifiers for identifying dynamic content—, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic

information in a Javascript enabled browser, which is changed periodically, in the web page from

a cache (0037, 0051, 0058, 0059, lines 14-0061, fig.4). Pfister fails to explicitly disclose:

customized extensions to a script language. However, it would have been obvious to a person of

ordinary skill in the art at the time of the invention to have generated Javascript references or

extensions to dynamic content, because Pfister discloses above the implementation of Javascript

(0059, fig.4--410). Thus providing a fuller, and more interactive navigation experience using the

interactive powers of Javascript.

Regarding claim 12, which depends on claim 11, Pfister teaches producing HTML

templates using identifiers for identifying dynamic content—, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic

information in a Javascript enabled browser, which is changed periodically, in the web page from

a cache (0037, 0051, 0058, 0059, lines 14-0061, fig.4). Pfister fails to explicitly disclose:

customized extensions to Javascript. However, it would have been obvious to a person of

ordinary skill in the art at the time of the invention to have generated Javascript references or

extensions to dynamic content, because Pfister discloses above the implementation of Javascript

(0059, fig.4--410). Thus providing a fuller, and more interactive navigation experience using the

interactive powers of Javascript.

Regarding claim 13, which depends on claim 1, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the

template dynamic identifiers, represent the dynamic content 412 and its position/layout in the

web page.

Regarding claim 14, which depends on claim 1, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers, represent the dynamic content 412 and its position/layout to be displayed at a location in the web page.

Regarding claim 15, which depends on claim 1, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers, represent the dynamic content 412 and its position/layout in the web page. Pfister fails to explicitly disclose: *including the static content, the references to the dynamic content, as well as corresponding layout information in a template file that is capable of including content of a plurality of different formats.* However, Twaddle teaches mail merging static, and dynamic content into a template file, which has a master layout for including HTML, WML, and XML, the elements to be included in the web page (0049, 0061, appendix A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as to accommodate large number of users (0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic data.

Regarding claim 17, which depends on claim 1, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0040, 0059, lines 14-0061, fig.4). In other words, the

template dynamic identifiers, represent the dynamic content 412 and its position/layout in the

web page. Pfister fails to explicitly disclose: *generating computer-executable instructions that*

facilitate the inclusion of the current state of the dynamic content in an appropriate location at

the display device. However, Twaddle teaches mail merging static, and dynamic content into a

template file, using HTML source code-- *computer-executable instructions--*, which has a master

layout for the elements to be included in the web page (0049, 0056-0057, fig.3-4, appendix A). It

would have been obvious to a person of ordinary skill in the art at the time of the invention to

have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as

to accommodate large number of users (0035). Thus providing an efficient, and quick way for

users to retrieve static and dynamic data.

Regarding claim 18, which depends on claim 17, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0040, 0059, lines 14-0061, fig.4). In other words, the

template dynamic identifiers, represent the dynamic content 412 and its position/layout in the

web page. Pfister fails to explicitly disclose: *generating computer-executable instructions that*

facilitate the inclusion of the current state of the dynamic content in an appropriate location at

the display device. However, Twaddle teaches mail merging static, and dynamic content into a

template file, using HTML source code-- *computer-executable instructions*--, which has a master

layout for the elements to be included in the web page (0049, 0056-0057, fig.3-4, appendix A). It

would have been obvious to a person of ordinary skill in the art at the time of the invention to

have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as

to accommodate large number of users (0035). Thus providing an efficient, and quick way for

users to retrieve static and dynamic data.

Regarding claim 19, which depends on claim 18, Pfister teaches producing HTML

templates—*macro*-- using identifiers—*customized extensions, to a markup language,*

referencing dynamic content-- for identifying dynamic content, such as item 412 displayed

underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic

information, which is changed periodically, in the web page from a cache (0051, 0058, 0059,

lines 14-0061, fig.4).

Regarding claim 24, which depends on claim 1, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

HTML web page in fig.4, used in loading, and presenting dynamic information, which is

changed periodically, in the web page from a cache (0059, lines 14-0061, fig.4). In other words,

the template dynamic identifiers, represent the dynamic content 412 and its position/layout in the

web page. Pfister fails to explicitly disclose: *transferring the template file and the computer*

executable instructions that include HTML content. However, Twaddle teaches transmitting web

page source code -- *computer-executable instructions*--, to the requesting user (0049, 0056-0058, fig.3-4, appendix A). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, and Twaddle, because Twaddle teaches the generation of dynamic data as to accommodate large number of users (0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic data.

Regarding claim 25, which depends on claim 1, Pfister teaches using HTTP for downloading the web page (0047, 0049-0050, fig.4).

Regarding claim 26, which depends on claim 25, Pfister teaches using HTTP for downloading the web page (0047, 0049-0050, fig.4).

Regarding independent claim 27, Pfister teaches that templates are produced for presenting data to WML devices. The presented data takes the form of information such as ads which are changed or rotated by a cache—*automatically and without user intervention*-- in accordance with a schedule (0059, 0061).

Moreover, Pfister fails to explicitly disclose: *register with subscription services*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have subscribed using registrations, because Pfister discloses an icon on the web page to personalize the page (0059, fig.4--410). Thus providing a richer, and more relevant navigation experience associated to the user's tastes.

Moreover, Pfister teaches using identifiers--*references*-- for identifying dynamic content,

such as item 412 displayed underneath static content 410 of the web page in fig.4, used in

loading, and presenting dynamic information, which is changed periodically, in the web page

from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers,

represent the dynamic content 412 and its position/layout in the web page. Pfister fails to

explicitly disclose: *includes static content, references to the dynamic content, as well as*

corresponding layout information in a template file. However, Twaddle teaches mail merging

static, and dynamic content into a template file, which has a master layout for the elements to be

included in the web page (0049, appendix A). It would have been obvious to a person of ordinary

skill in the art at the time of the invention to have combined Pfister, and Twaddle, because

Twaddle teaches the generation of dynamic data as to accommodate large number of users

(0035). Thus providing an efficient, and quick way for users to retrieve static and dynamic data.

Furthermore, Pfister teaches using identifiers for identifying dynamic content, such as

item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and

presenting dynamic information, which is changed periodically by a cache—*receiving*

notification that dynamic content referenced by at least one of the references has changed to a

current state and executing computer-executable instructions to thereby facilitate the inclusion

of the current state of the dynamic content of the dynamic content in an appropriate location, in

the web page from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic

identifiers, represent the dynamic content 412 and its position/layout in the web page.

Regarding claim 28, which depends on claim 25, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information in a PDA, which is

changed periodically, in the web page from a cache (0040, 0059, lines 14-0061, fig.4). In other

words, the template dynamic identifiers, represent the dynamic content 412 and its

position/layout in the web page. Pfister fails to explicitly disclose: *storing the template file that*

includes static content, as well as corresponding layout information in system memory

associated with the mobile device. 3However, Twaddle teaches transmitting web page source

code -- *computer-executable instructions--*, to the requesting user (0049, 0056-0057, fig.3-4,

appendix A). It would have been obvious to a person of ordinary skill in the art at the time of the

invention to have combined Pfister, and Twaddle, because Twaddle teaches the generation of

dynamic data as to accommodate large number of users (0035). Thus providing an efficient, and

quick way for users to retrieve static and dynamic data.

Regarding claim 29, which depends on claim 27, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

web page in fig.4, used in loading, and presenting dynamic information using WAP, which is

rotated or toggled periodically by a cache—*notification that was pushed to the mobile device*

(0048, 0059, lines 14-0061, fig.4).

Regarding claim 30, which depends on claim 29, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information using WAP, which is rotated or toggled periodically by a cache— (0048, 0059, lines 14-0061, fig.4).

Regarding claim 31, which depends on claim 30, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache (0048, 0059, lines 14-0061, fig.4).

Regarding claim 32, which depends on claim 31, Pfister teaches using identifiers—*URI*-- for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache (0048, 0059, lines 14-0061, fig.4).

Regarding claim 33, which depends on claim 31, Pfister teaches using identifiers in a template for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache (0048, 0059, lines 14-0061, fig.4).

Regarding claim 34, which depends on claim 31, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache—*dynamic content has changed to a current ad or state* (0048, 0059, lines 14-0061, fig.4).

Regarding claim 35, which depends on claim 27, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache—*dynamic content has changed to a current ad or state* (0048, 0059, lines 14-0061, fig.4).

Regarding claim 36, which depends on claim 27, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication element*-- using WAP, which is rotated or toggled periodically by a cache—*dynamic content has changed to a current ad or state* (0048, 0059, lines 14-0061, fig.4).

Regarding claim 37, which depends on claim 27, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the web page in fig.4, used in loading, and presenting dynamic information—*service indication*

element-- using WAP, which is rotated or toggled periodically by a cache—*storing notification* (0048, 0059, lines 14-0061, fig.4).

Regarding claim 38, which depends on claim 27, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the HTMLweb page in fig.4, used in loading, and presenting dynamic information—*service indication element--*, which is rotated or toggled periodically by a cache (0058, 0059, lines 14-0061, fig.4).

Regarding claim 39, which depends on claim 38, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the HTMLweb page in fig.4, used in loading, and presenting dynamic information—*service indication element--*, which is rotated or toggled periodically by a cache (0058, 0059, lines 14-0061, fig.4).

Regarding independent claim 40, Pfister teaches that templates are produced for presenting data to WML devices. The presented data takes the form of information such as ads which are changed or rotated by a cache—*automatically and without user intervention--* in accordance with a schedule (0059, 0061).

Moreover, Pfister fails to explicitly disclose: *register with subscription services.* However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have subscribed using registrations, because Pfister discloses an icon on the web

page to personalize the page (0059, fig.4--410). Thus providing a richer, and more relevant

navigation experience associated to the user's tastes.

Moreover, Pfister teaches using identifiers--*references*-- for identifying dynamic content,

such as item 412 displayed underneath static content 410 of the web page in fig.4, used in

loading, and presenting dynamic information, which is changed periodically, in the web page

from a cache (0059, lines 14-0061, fig.4). In other words, the template dynamic identifiers,

represent the dynamic content 412 and its position/layout in the web page. Pfister fails to

explicitly disclose: *storing in a template file static content, references to the dynamic content, as*

well as corresponding layout information. However, Twaddle teaches mail merging static, and

dynamic content into a template file, which has a master layout for the elements to be included in

the web page (0049, appendix A). It would have been obvious to a person of ordinary skill in the

art at the time of the invention to have combined Pfister, and Twaddle, because Twaddle teaches

the generation of dynamic data as to accommodate large number of users (0035). Thus providing

an efficient, and quick way for users to retrieve static and dynamic data.

Furthermore, Pfister teaches using loading both static and dynamic content to present the

web page—*merging updated dynamic content and static content* (0046-0047, fig.4). In other

words, the template dynamic identifiers, represent the dynamic content 412 and its

position/layout in the web page.

Claims 41-44 are directed towards a computer program product on a computer-readable

medium for storing the steps found in claims 1, 1, 4 and 4 respectively, and therefore are

similarly rejected.

11.   Claims 16, and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Pfister, in view of Twaddle, and further in view of Orhormuru (US Pub. # 2003/0061106 A1

3/27/2003, filed on 9/21/2001).

Regarding claim 16, which depends on claim 15, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

WML web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0048, 0059, lines 14-0061, fig.4). Twaddle teaches

mail merging static, and dynamic content into a template file, which has a master layout for

including HTML, WML, and XML, the elements to be included in the web page (0049, 0061,

appendix A). Pfister, and Twaddle fail to explicitly disclose: *a MIME file*. However, Orhormuru

teaches using a MIME type for WML for viewing and accessing web pages using mobile devices

(0077). It would have been obvious to a person of ordinary skill in the art at the time of the

invention to have combined Pfister, Twaddle, and Orhormuru, because Twaddle teaches above

the viewing of web pages using mobile devices, which provides a flexible method of viewing

web pages using portable and mobile devices, which can be easily transported.

Regarding claim 20, which depends on claim 1, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

WML web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0048, 0059, lines 14-0061, fig.4). Pfister, and

Twaddle fail to explicitly disclose: *transferring the template file in a MIME format*. However,

Orhormuru teaches using a MIME type for WML for viewing and accessing web pages using mobile devices (0077). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, Twaddle, and Orhormuru, because Twaddle teaches above the viewing of web pages using mobile devices, which provides a flexible method of viewing web pages using portable and mobile devices, which can be easily transported.

Regarding claim 21, which depends on claim 20, Pfister teaches using identifiers for identifying dynamic content, such as item 412 displayed underneath static content 410 of the WAP web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0048, 0059, lines 14-0061, fig.4). Pfister, and Twaddle fail to explicitly disclose: *transferring the template file in a MIME format*. However, Orhormuru teaches using a MIME type for WML for viewing and accessing web pages using mobile devices (0077). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Pfister, Twaddle, and Orhormuru, because Twaddle teaches above the viewing of web pages using mobile devices, which provides a flexible method of viewing web pages using portable and mobile devices, which can be easily transported.

Regarding claim 22, which depends on claim 21, Pfister teaches using identifiers-- *associated with a specific application id*-- for identifying dynamic content, such as item 412 displayed underneath static content 410 of the WML web page in fig.4, used in loading, and presenting dynamic information, which is changed periodically, in the web page from a cache (0048, 0059, lines 14-0061, fig.4). Pfister, and Twaddle fail to explicitly disclose: *MIME format.*

However, Orhormuru teaches using a MIME type for WML for viewing and accessing web

pages using mobile devices (0077). It would have been obvious to a person of ordinary skill in

the art at the time of the invention to have combined Pfister, Twaddle, and Orhormuru, because

Twaddle teaches above the viewing of web pages using mobile devices, which provides a

flexible method of viewing web pages using portable and mobile devices, which can be easily

transported.

Regarding claim 23, which depends on claim 22, Pfister teaches using identifiers for

identifying dynamic content, such as item 412 displayed underneath static content 410 of the

WML web page in fig.4, used in loading, and presenting dynamic information, which is changed

periodically, in the web page from a cache (0048, 0059, lines 14-0061, fig.4). Pfister, and

Twaddle fail to explicitly disclose: *content encoded in a MIME format associated with a specific*

application id that identifies the template file as including content encoded in a MIME format--.

However, Orhormuru teaches using a MIME type for WML for viewing and accessing web

pages using mobile devices (0077). It would have been obvious to a person of ordinary skill in

the art at the time of the invention to have combined Pfister, Twaddle, and Orhormuru and

provide MIME encoded templates, because Twaddle teaches above the viewing of web pages

using mobile devices, which provides a flexible method of viewing dynamic web pages using

portable and mobile devices, which can be easily transported.

Conclusion

I.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Yost et al. (Pat. # 6,260,050).

II.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543 (**

(571) 272-2148 as of 10/12/04). The examiner can normally be reached on Monday through

Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Stephen Hong, can be reached on (703) 308-5465 ((571) 272-4124 as of 10/12/04). However, in

such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

>   Commissioner for Patents
>   P.O. Box 1450
>   Alexandria, VA 22313-1450
>   Or faxed to:

*   **(703) 703-872-9306,** (for **all** Formal communications intended for entry)